

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO.

00-6273

ch PCH

DE#

721

~~6~~ DUE TO POOR QUALITY, THE ATTACHED
DOCUMENT IS NOT SCANNED

ATTACHMENT(S) NOT SCANNED

- VOLUMINOUS (exceeds 999 pages = 4 inches)
- BOUND EXTRADITION PAPERS
- ADMINISTRATIVE RECORD (Social Security)
- ORIGINAL BANKRUPTCY TRANSCRIPT
- STATE COURT RECORD (Habeas Cases)
- SOUTHERN DISTRICT TRANSCRIPTS
- LEGAL SIZE
- DOUBLE SIDED
- PHOTOGRAPHS
- POOR QUALITY (e.g. light print, dark print, etc.)
- SURETY BOND (original or letter of undertaking)
- CD's, DVD's, VHS Tapes, Cassette Tapes
- OTHER = _____

PLEASE REFER TO COURT FILE

United States District Court
Southern District of Florida
Case No. 00-cr-06273-PCH

United States of America

Plaintiff

Defendant
Bennet

RECEIVED
U.S. DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
JULY 12 2003
FBI - MIAMI
[Signature]

Motion for Court to Hold Plaintiff Plaintiff
Criminal Petition (28 USC 2255) in Abeyance
for 90 days.

Comes now, Plaintiff with the advice of his
Attorney does in these respects AND MOVES
this Court to Grant Plaintiff's Motion to Hold
the above named petition in Abeyance. Plaintiff
presents the following:

1 Plaintiff was committed from sentence on
July 11 2002 to a term of 150 years sentence
from the State of Florida

2 the Court shall Plaintiff be remanded
into the custody of the BOP

72
m

However Plaintiff was first arrested and charged in State Court first. Therefore he has a right to State custody to face the same charges in Broward County. After 5 years Plaintiff's charges were dropped because the Court ruled that

Broward County has no jurisdiction to arrest Plaintiff because the crime occurred in Dade County. Following this ruling a Order to Change of Venue was issued. And Defendant was awaiting for Dade County to indict. Defendant was forced into the legal position because:

1. Defendant is a sentenced Federal Inmate and State charges were dropped. Federal Code of Rules 18 USC 3623, 18 USC 4084 4085 states that the state of Florida (Broward County) knowing Defendant was a sentenced Federal Inmate the state must follow the rules set forth in 18 USC 4085 in which the state must provide a certified copy of the indictment to the Federal General Counsel if he or she finds it in the public interest to do can have the Federal inmate upon the state's request can transfer that inmate to the state or correctional institution in which Plaintiff is on the time being charged.

Problems

- 1 The 1st problem for reasons unknown choose not have Defendant Ernest Brock to Federal custody its Rules and Procedures dictate further more the Court had a Order issued to have Defendant Remanded to Federal custody. The reason is Related to
Habeas, Both Plaintiff and Lawyer states this Defendant due to his actions violated caused a illegal state which may become proper procedure and that the Plaintiff has
1st and 2nd Amendment rights.
- 2 The second part of this statement is since negligence of the US Marshall, And the state Prisoner is not at ground Jury in Criminal without getting leave from the Office of General Now for over year Defendant has not gained in Administration Segregation And because of this placement he has not been allowed
 - 1 Access to a Private Room Library
 - 2 Access to sensible materials
 - 3 Access to Federal Books
 - 4 Access to outside Books

Defendant even obtained a Court Order from CASE Judge Nidal in which DRDO lawyer has refused to answer for 3 months. No one answered the Defendant's Letters and Questions. Now the Plaintiff's Lawyer - Balaji and his wife file for a injunction page of DRDO connecting in Federal Court of India now.

3. 3rd problem this Defendant has until January 10 to file his defense papers for the Civil Trial. But he has run into a crucial problem in filing his papers on time.
 1. Defendant is demanded for trial January 23, 2006, and is also scheduled for a Civil trial December 5, 2005.
 2. This Court has rejected Along with his appointed Counsel to provide Defendant with a copy of his trial transcripts. Defendant is unable to recent trials to compile Appeal Court documents to prove even the Trial and sentencing without these transcripts. Without these transcripts Defendant cannot show his Attorney's effectiveness at trial, nor other pertinent issues.

3 Leverages to be used for this docket:
One in December 2005, one in January
2006, the last hearing has been delayed until
April 13, 2006 to get some more information
of the court. The trial and the
trial court to the defendant's

1. Delay the 1 year time limit under
A Rule 45(a) and the trial
B cause to be delayed by the court
for example by taking the date in
the tip of the trial
C either the only date can be 90 days
delay from the 22nd period
month of January 13, 2006 should be
held and be April 13, 2006, the court
A Delay if permanent excuse is shown.

cc: D.A. or Sheriff
A copy of the foregoing was sent to
Lawrence & Associates Postman Jeffrey
Slender - AUSA #4844 by us on October
11th 2005.

by [Signature]
Hans J. Klemm, Esq.
#30320-000

TCK

7000 10th Street
Fort Lauderdale, Florida 33309